

35. (New) The antibody of claim 33, wherein the antibody is linked to an alkaline phosphatase, hydrogen peroxidase or glucose oxidase enzyme.

36. (New) The antibody of claim 30, wherein the antibody is a monoclonal antibody.--

II. RESPONSE TO RESTRICTION REQUIREMENT DATED DECEMBER 16, 2002

A. Summary of Examiner Interview

Applicant's representative, Mark B. Wilson, conducted a telephone interview with Examiner Gary B. Nickol on January 9, 2003. During this interview, the Examiner stated that Applicant's Preliminary Amendment filed on February 20, 2002 was not entered into the record or considered in issuing the Restriction Requirement dated December 16, 2002. Applicant's representative stated that they would submit a new preliminary amendment canceling all pending claims and adding new claims directed towards the Group III invention.

B. Status of the Claims

Claims 1-27, as filed with the original application, were considered in formation of the Restriction Requirement dated December 16, 2002. Applicant notes that the Preliminary Amendment filed on February 20, 2002 was not considered in the Restriction Requirement. For convenience, Applicant submits a Preliminary Amendment filed herewith canceling all pending claims without prejudice or disclaimer and adding new claims 28-36. Support for the new claims can be found in the specification and claims as originally filed. Attached as Appendix A is a copy of the presently pending claims.

C. Response to Restriction Requirement

In response to the Restriction Requirement, Applicant elects, without traverse, to prosecute the Group III invention as drawn to an antibody that binds to phosphatidylserine,

including linked antibodies, and monoclonals thereof, and methods of generating such antibodies. Applicant reserves the right to prosecute claims to the non-elected inventions in continuing applications.

In view of the Examiner Interview conducted on January 9, 2003, Applicant's representatives believe that new claims 28-36 correspond to the subject matter of the Group III invention as described in the Restriction Requirement issued on December 16, 2002. As such, new claims 28-36 are submitted herewith for further prosecution in this case.

D. Conclusion

Applicant believes this to be a full and complete response to the Restriction Requirement dated December 16, 2002. Applicant respectfully requests that new claims 28-36 be further prosecuted in this case.

Should the Examiner have any questions, comments, or suggestions relating to this case, the Examiner is invited to contact the undersigned Applicant's representative at (512) 536-3035.

Respectfully submitted,



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APPENDIX A
Presently Pending Claims

28. A method of making an antibody that specifically binds to phosphatidylserine, said method comprising administering to an animal a pharmaceutical composition comprising an immunologically effective amount of a phosphatidylcholine/polypeptide or a phosphatidylserine/polypeptide conjugate composition.
29. The method of claim 28, wherein a composition comprising phosphatidylserine/BSA, phosphatidylserine/KLH, phosphatidylserine/BGG, or phosphatidylserine/ β_2 -glycoprotein I conjugate is administered to the animal.
30. An antibody that specifically binds to phosphatidylserine, said antibody made by a process comprising administering to an animal a pharmaceutical composition comprising an immunologically effective amount of a phosphatidylcholine/polypeptide or a phosphatidylserine/polypeptide conjugate composition.
31. The antibody of claim 30, wherein a composition comprising phosphatidylserine/BSA, phosphatidylserine/KLH, phosphatidylserine/BGG, or phosphatidylserine/ β_2 -glycoprotein I conjugate is administered to the animal.
32. The antibody of claim 31, wherein said polypeptide is β_2 -glycoprotein I.
33. The antibody of claim 30, wherein the antibody is linked to a detectable label.
34. The antibody of claim 33, wherein the antibody is linked to a radioactive label, a fluorogenic label, a nuclear magnetic spin resonance label, biotin or an enzyme that generates a detectable product upon contact with a chromogenic substrate.
35. The antibody of claim 33, wherein the antibody is linked to an alkaline phosphatase, hydrogen peroxidase or glucose oxidase enzyme.

36. The antibody of claim 30, wherein the antibody is a monoclonal antibody.